

GONE TO THE JURY

ARGUMENTS IN THE EVA BEEM CASE FINISHED YESTERDAY.

Capt. Joe Waters of Topeka and Mr. Wise of Hutchinson Plead in the Morning For Their Client—Both Gentlemen Made an Eloquent Speech—District Attorney Lambert Finishes For the Government, Making a Very Forceful Presentation of the Facts as They Appeared to Him—Jury Have Not Agreed.

The jury in the Beem case at 10 o'clock last night had not reached an agreement and under the escort of three officers they were taken to the Carey hotel for the night. They will assemble this morning immediately after breakfast and try to reach an agreement. The jurors desired some additional instructions last night and sent down to Judge Williams for them. He informed them to make known what was wanted in writing and he would give them the desired information.

The fact that the jury has not reached an agreement is taken by Miss Beem's friends as being favorable to her.

There was an exceptionally large attendance at the Eva Beem trial yesterday, and those who attended were amply repaid if they admired oratory. At the afternoon session the climax was reached in point of numbers. Inside the railing were three rows of chairs extending all the way across the court room. These were occupied by ladies exclusively. Men stood up and leaned against the wall or gathered support from some friendly radiator. To the rear of the railing all the bench seats were taken with those anxious to hear the arguments.

Captain Joe Waters was the first speaker this morning. He was followed by Mr. Wise. They finished just at noon and the court adjourned until 2 o'clock in the afternoon, when District Attorney I. E. Lambert was given the afternoon to close in. He spoke for two hours and a quarter, when Judge Williams gave his instructions. The judge has been absolutely impartial in the case and has challenged the respect of all during the trial for his manifest fairness in his decisions. His instructions were short and to the point, being free from any individual opinion. He merely stated the law, combining brevity and clearness in an elegant dictation. After Judge Williams had given his instructions the jury, at precisely 4:45, retired to the jury room to decide what has attracted more than ordinary interest because of the fact that the accused was a young woman who has held the highest respect from the most influential citizen to the day laborer of her own city. She was raised and grew to womanhood among them, and never has there been even a suspicion, to say nothing of an intimation, regarding her character. Day in and day out for ten years she has been seen to go to her duties, and at night to wind her way homeward after a hard day's labor with the regularity of clockwork. Her mode of living has not been changed in all this time and the rectitude with which she has carried herself has had its reward in that those who know her best are her strongest supporters.

Captain Joe Waters is one of the best orators in the west, and his speech yesterday was up to his usual high standard. He knows how and with what finesse to make a point have the most telling effect and these siletto thrusts were made with cool and calculating judgment. With address he reached a time when he began working on the sympathies of the jurors. With his fine appearance and his magnanimity it is not to be wondered at that every one in the large room thought that Miss Beem was the victim of a force of circumstances brought about by a young man. And that man Mr. Waters had no hesitancy in saying was Will Mead, who was the assistant postmaster during the time of the defalcations. Mr. Waters dealt more in generalities, but so ably did he present them that when he had finished nearly every one in the room was willing to concede that Miss Beem would be acquitted.

Mr. Wise followed Mr. Waters, and he, too, made a splendid plea for his client. He reviewed the case from the first and made forcible the points that were in Miss Beem's favor, passing lightly over those questions that have had a tendency to make Miss Beem appear as if she were guilty.

When the two attorneys for the defense had finished court adjourned for the noon hour. It was with exultation that the friends of Miss Beem left the room, for so well had her side been presented that they felt positive that no jury could bring in a verdict of guilty.

At 2 o'clock Mr. Lambert began his argument. Miss Beem sat in her accustomed place directly in front of Judge Williams and directly back of her attorneys. Miss Beem leaned on the left arm of her chair toward Mrs. Taylor, who throughout the afternoon kept fanning her. Miss Beem had a box of beautiful roses in her lap that had been given her by a friend. She maintained her usual composure while Mr. Lambert was making some telling points which tended to make the case hang in the balance. Miss Beem had her lips tightly compressed, showing the light mental strain which she was undergoing.

Mr. Lambert went farther into the case than did any of the other lawyers, and he made one of the most forcible speeches ever heard in the federal court. He has a very pleasant way of giving his remarks, having that quality of coming to the point at once and presenting it in the very clearest way. Mr. Lambert took the case from the begin-

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Appointment of Harry Bone of Ashland Expected Any Day Now—Mason Says the Office of Assistant District Attorney Comes Under Civil Service Rules and He Doesn't Propose to Be Enchained Out of Anything He Can Hold On To—Making an Effort to Retain His Place.

It was semi-officially announced in July that Harry Bone of Ashland would take the place of Rankin Mason as assistant district attorney on the first of September. The change did not take place on the first. The month is almost gone and Rankin Mason is still in the office. A good many people in this city have been interested enough to wonder and inquire why the promised change has not materialized. It was rumored that information had leaked out at headquarters to the effect that somebody had sprung a combination on Mr. Bone and was holding up his appointment. The gossip was taken up, filtered down through Oklahoma and reached Wichita by letter from an Oklahoma man who expects to hold a federal position in the territory. What the supposed combination was could not be learned, but it was no doubt the little claim set up by Mr. Rankin Mason that the position properly belonged under civil service classification, and on that theory he would base a good healthy effort to hold the job.

It is, along with the fact that Attorney General McKenna has been off on a vacation for several weeks, explain the delay in the appointment of a Republican in Mason's stead.

Mr. Lambert, who has been here for a week attending the federal court, said yesterday that he expected Mr. Bone's appointment upon any day now. He does not give the rumor of a fight on Mr. Bone the credit of even a doubtful notice. A Democrat would about as lief give up his life as give up an office, and Mr. Mason is the traditional Democrat.

Mr. Bone is in town, and when the question of his appointment was brought up with him, he manifested about as much concern in the matter as a man would in the office of an ordinary Democratic trustee. He says he is very busy just now and would hardly have time to take up the work if he should receive a commission at this time.